



PTO/SB/30 (04-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>Request For Continued Examination (RCE) Transmittal</b>  Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/820,154-Conf. #3953
	Filing Date	March 28, 2001
	First Named Inventor	Hideo Nakamura
	Art Unit	2612
	Examiner Name	L. T. Nguyen
	Attorney Docket Number	09450/000K686-US0

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☒ Other Amendment in Response to Final Office Action filed September 28, 2005

b. ☐ Enclosed

i. ☐ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☐ The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments to Deposit Account No. \_\_\_\_\_. I have enclosed a duplicate copy of this sheet.

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☒ Check in the amount of \$ 790.00 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Signature		Date	October 27, 2005
Name (Print/Type)	Raffaele A. DeMarco	Registration No.	54,061

11/01/2005 SSITHIB1 00000054 09820154

01 FC:1801

790.00 DP

Under the Paperwork Reduction Act of 1995 no person are required to respond to a collection of information unless it displays a valid OMB control number.

**Effective on 12/08/2004.**

**Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**

# FEE TRANSMITTAL

## For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

**Complete if Known**

Application Number	09/820,154-Conf. #3953
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Art Unit	2612
Attorney Docket No.	09450/000K686-US0

**METHOD OF PAYMENT** (check all that apply)

☒ Check   
 ☐ Credit Card   
 ☐ Money Order   
 ☐ None   
 ☐ Other (please identify): \_\_\_\_\_  
☐ Deposit Account   
 Deposit Account Number: 04-0100   
 Deposit Account Name: Darby & Darby P.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

<input type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, <b>except for the filing fee</b>
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

### FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		<u>Small Entity</u>		<u>Small Entity</u>		<u>Small Entity</u>	
<u>Application Type</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fees Paid (\$)</u>
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

## 2. EXCESS CLAIM FEES

		Small Entity
	Fee (\$)	Fee (\$)
2. EXCESS CLAIM FEES		
Fee Description		
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
21	- 46 =	x	=

<u>Indep. Claims</u>		<u>Extra Claims</u>		<u>Fee (\$)</u>		<u>Fee Paid (\$)</u>
3	- .33 =		x		=	

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).


<b><u>Total Sheets</u></b>	<b><u>Extra Sheets</u></b>	<b><u>Number of each additional 50 or fraction thereof</u></b>	<b><u>Fee (\$)</u></b>	<b><u>Fee Paid (\$)</u></b>
- 100 =	/50	(round up to a whole number) x	=	

#### 4. OTHER FEE(S)

**Non-English Specification, \$130 fee (no small entity discount)**

Other (e.g., late filing surcharge): 1801 Request for continued examination (RCE) (see 37 ... 790.00

## SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	54,061	Telephone	(212) 527-7696
Name (Print/Type)	Raffaele A. DeMarco			Date	October 27, 2005



## FEE SUMMARY SHEET

### Transmittal -- Request for Continued Examination (RCE) (PTO SB-30)

Date: October 27, 2005  
Time: 10:38 AM  
Docket: 09450/000K686-US0

Filing Date: March 28, 2001  
Application No: 09/820,154  
Total Fee: \$ 790.00

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Code	Amount	37 CFR	Fee Description	Listed on
1801	790.00	1.17(e)	Request for continued examination (RCE) (see 37 CFR 1.114)	Transmittal -- Request for Continued Examination (RCE) (PTO SB-30)

10-31-05

RCE ✓

IPW



Application No. (if known): 09/820,154

Attorney Docket No.: 09450/000K686-USO

**Certificate of Express Mailing Under 37 CFR 1.10**

I hereby certify that this correspondence is being deposited with the United States Postal Service as  
Express Mail, Airbill No. \_\_\_\_\_ in an envelope addressed to:

**692132871-US**

MS RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on October 27, 2005  
Date

Signature

Typed or printed name of person signing Certificate

Registration Number, if applicable

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify  
each submitted paper.

Request for Continued Examination Transmittal (RCE) (1 page)

Fee Transmittal Sheet (1 page)

Fee Summary Sheet (1 ~~page~~ Page)Check No.: 10132 in the amount of \$790.00